

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
12-20478-CR-DIMITROULEAS/SNOW
Case No. _____

18 U.S.C. § 371
22 U.S.C. § 2778(b)(2)
22 U.S.C. § 2778(c)
18 U.S.C. § 2

UNITED STATES OF AMERICA

vs.

ALBERTO PICHARDO
and
FREDDY ARGUELLES,
Defendants.
_____ /

INFORMATION

The United States Attorney charges that:

GENERAL ALLEGATIONS

At all times material to this Information:

The Defendants

ALBERTO PICHARDO was an officer of the Venezuelan Air Force and was responsible for the oversight and control of the Venezuelan Military Acquisitions Office in Doral, Florida.

FREDDY ARGUELLES was a former pilot of the Venezuelan Air Force, who resided in the United States.

The Arms Export Control Act

The Arms Export Control Act and its attendant regulations, the International Traffic in Arms Regulations (Title 22, Code of Federal Regulations, Sections 120-130), require a person to apply for and obtain an export license from the Directorate of Defense Trade Controls of the United States

Department of State before exporting a defense article designated on the United States Munitions List from the United States.

COUNT 1
Conspiracy
(18 U.S.C. § 371)

1. The “General Allegations” portion of this Information is realleged and incorporated by reference as if fully set forth herein.

2. From on or about January 23, 2009 and continuing up to on or about February 19, 2010, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

ALBERTO PICHARDO
and
FREDDY ARGUELLES,

did knowingly and willfully combine, conspire, confederate, and agree with others, to commit an offense against the United States, that is, to export and cause to be exported, from the United States to a place outside thereof, defense articles designated on the United States Munitions List, without first obtaining the required license or written approval from the Directorate of Defense Trade Controls of the United States Department of State, in violation of Title 22, United States Code, Section 2778(b)(2); and Title 22, Code of Federal Regulations, Sections 120.6, 121.1, 123.1 and 127.1.

OBJECTIVE OF THE CONSPIRACY

3. It was the objective of the conspiracy that defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and their co-conspirators enrich themselves by unlawfully exporting defense articles from the United States to the Bolivarian Republic of Venezuela, hereinafter “Venezuela.” It was a further part of the objective of the conspiracy that the defendants and their

co-conspirators perpetuate and conceal the existence of the conspiracy.

MANNER AND MEANS

The manner and means by which defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and their co-conspirators sought to accomplish the objective of the conspiracy included, among others, the following:

4. Defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and their co-conspirators used e-mails, text messaging, telephonic communications, and personal meetings to communicate regarding the purchasing of defense articles for Venezuela.

5. Co-conspirators, residing outside of the United States, advised defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** of the defense articles that the Venezuelan Air Force wanted to purchase.

6. Defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and their co-conspirators attempted to procure the requested defense articles from an individual, hereinafter referred to as S-1, whose place of business was located in Fort Lauderdale, Florida.

7. Defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and their co-conspirators utilized the services of S-1 in an effort to export defense articles without obtaining the required license and written approvals from the Directorate of Defense Trade Controls of the United States Department of State.

OVERT ACTS

In furtherance of this conspiracy, and to accomplish its objective, at least one of the co-conspirators committed or caused to be committed, in the Southern District of Florida, and elsewhere, at least one of the following overt acts, among others:

8. On or about January 23, 2009, defendant **ALBERTO PICHARDO** sent an e-mail to S-1 regarding the purchase of F-16 ejection seats and F-16 munitions, the ultimate buyer of which was later revealed to be the Venezuelan Air Force.

9. On or about February 13, 2009, defendant **ALBERTO PICHARDO** sent an e-mail to S-1 which contained a list of aircraft parts which the Venezuelan Air Force was seeking to purchase for its F-16s, VF-5s, OV-10 Broncos, Tucanos, and Super Puma helicopters, among others.

The list of aircraft parts contained, among others, the following defense articles:

Defense Article	Part Number	U.S. Munitions List	Quantity
Cartridge Assembly	1002-41	Category VIII(c)	27
Detonation Transfer Assembly	51281-721	Category VIII(c)	34
Detonation Transfer Assembly	51476-731	Category VIII(c)	19
Detonation Transfer Assembly	51476-732	Category VIII(c)	19
Initiator	1255-1	Category VIII(c)	16

10. On or about March 27, 2009, defendant **ALBERTO PICHARDO** re-sent the aforementioned email to S-1 which contained the list of aircraft parts which the Venezuelan Air Force was seeking to purchase for its F-16s, VF-5s, OV-10 Broncos, Tucanos, and Super Puma helicopters, among others.

11. On or about August 4, 2009, defendant **ALBERTO PICHARDO** sent a new list of F-16 parts to S-1 which the Venezuelan Air Force was seeking to purchase. The new list of aircraft parts contained, among others, the following defense articles:

Defense Article	Part Number	U.S. Munitions List	Quantity
Rocket Motor Canopy Jettison	1517-001	Category VIII(c)	20
Cartridge Assembly	1003-24	Category VIII(c)	20
Drive Shaft, Airframe Mounted Accessory	16VP123-2	Category VIII(h)	6
Bulkhead, Upper	16B6224	Category VIII(h)	13
LPRF (Receiver-Generator Radar)	681R622G01	Category XI(a)(3)	8
XMTR Radar (Transmitter, Radar)	682R669G01	Category XI(a)(3)	8
Radar Antenna	768R109G01	Category XI(a)(3)	8
Facepiece Medium/Wide for the MBU-20/P Oxygen Mask	G010-1101-03	Category X(d)	12
Facepiece Medium/Narrow for the MBU-20/P Oxygen Mask	G010-1101-02	Category X(d)	12
Facepiece Small/Narrow for the MBU-20/P Oxygen Mask	G010-1101-01	Category X(d)	12

12. On or about September 22, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and a co-conspirator, hereinafter identified as “K.L.,” attended a meeting with S-1 at an office located in Fort Lauderdale, Florida.

13. During the aforementioned meeting on September 22, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and co-conspirator K.L. discussed, with S-1, the sale of F-16 parts which had been requested by the Venezuelan Air Force.

14. On or about October 23, 2009, defendant **ALBERTO PICHARDO** sent an e-mail to S-1 which contained another list of F-16 parts which the Venezuelan Air Force was seeking to purchase. This latest list of aircraft parts contained, among others, the following defense articles:

Defense Article	Part Number	U.S. Munitions List	Quantity
LPRF (Receiver-Generator Radar)	681R622G01	Category XI(a)(3)	8
XMTR Radar (Transmitter, Radar)	682R669G01	Category XI(a)(3)	8
Radar Antenna	768R109G01	Category XI(a)(3)	8

15. On or about October 26, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** attended a meeting with S-1 at an office located in Fort Lauderdale, Florida.

16. During the aforementioned meeting on October 26, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** discussed, with S-1, the sale of F-16 parts which had been requested by the Venezuelan Air Force and the sale of unmanned aerial vehicle engines to Venezuela.

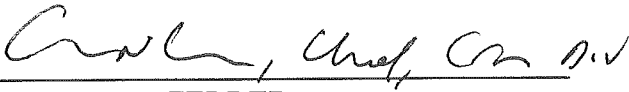
17. On or about October 26, 2009, defendant **FREDDY ARGUELLES** had a follow-up telephone conversation with S-1 regarding the sale of the aforementioned unmanned aerial vehicle parts.

18. On or about November 12, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES** and co-conspirator K.L. attended a meeting with S-1 at an office in Fort Lauderdale, Florida.

19. During the aforementioned meeting on November 12, 2009, defendants **ALBERTO PICHARDO** and **FREDDY ARGUELLES**, and co-conspirator K.L. discussed, with S-1, the sale of F-16 parts which had been requested by the Venezuelan Air Force and the sale of unmanned aerial

vehicle engines to Venezuela.

All in violation of Title 18, United States Code, Section 371.


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